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10/715,398	11/19/2003	Kang Soo Seo	1740-000072/US	5315

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HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. BOX 8910  
RESTON, VA 20195

EXAMINER
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TEKLE, DANIEL T

ART UNIT	PAPER NUMBER
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2621

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09/25/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/715,398

**Applicant(s)**

SEO ET AL

**Examiner**

Daniel Tekle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 01/27/05
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-29 are rejected under 35 U.S.C. 101 because the claim is directed to a recording medium storing nonfunctional descriptive material. Data structures not claimed as embodied in computer-readable media are descriptive material per se and are not statutory because they are neither physical "things" nor statutory processes. See, e.g. Warmerdam, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure per se held nonstatutory) and merely claiming nonfunctional descriptive material stored in a computer-readable medium does not make it statutory. See MPEP 2106.IV.B.1.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamamoto et al (US 5742569).

**Regarding Claim 1:** Yomamoto et al. discloses a recording medium having a data structure for managing reproduction of at least video data, comprising: a navigation area storing at least one navigation file, the navigation file including navigation commands for managing reproduction of at least video data forming a main reproduction path and a side reproduction path, the side reproduction path being a side path to the main reproduction path **(column 9-10, lines 63-21)**.

**Regarding Claim 2:** Yomamoto et al. discloses a recording medium of claim 1, wherein a portion of the navigation commands selectively determine whether to play a playlist forming at least a portion of the side reproduction path **(column 9-10, lines 63-21)**.

**Regarding Claim 3:** Yomamoto et al. discloses a recording medium of claim 2, wherein the portion of the navigation commands selectively determine whether to play the playlist forming at least a portion of the side reproduction path during reproduction of the main reproduction path **(column 9-10, lines 63-21)**.

**Regarding Claim 4:** Yomamoto et al. discloses a recording medium of claim 2, wherein the portion of the navigation commands selectively determine whether to play the playlist forming at least a portion of the side reproduction path based on user input **(column 9-10, lines 63-21)**.

**Regarding Claim 5:** Yomamoto et al. discloses a recording medium of claim 4, wherein the portion of the navigation commands selectively determine whether to play the playlist forming at least a portion of the side reproduction path based on user input received during reproduction of the main reproduction path **(column 9-10, lines 63-21)**.

**Regarding Claim 6:** Yomamoto et al. discloses a recording medium of claim 1, wherein a portion of the navigation commands selectively branch reproduction to the side reproduction path (**column 9-10, lines 63-21**).

**Regarding Claim 7:** Yomamoto et al. discloses a recording medium of claim 6, wherein the portion of the navigation commands selectively branch reproduction to the side reproduction path during reproduction of the main reproduction path (**column 9-10, lines 63-21**).

**Regarding Claim 8:** Yomamoto et al. discloses a recording medium of claim 6, wherein the portion of the navigation commands selectively branch reproduction to the side reproduction path based on user input (**column 9-10, lines 63-21**).

**Regarding Claim 9:** Yomamoto et al. discloses a recording medium of claim 8, wherein the portion of the navigation commands selectively branch reproduction to the side reproduction path based on user input during reproduction of the main reproduction path (**column 9-10, lines 63-21**).

**Regarding Claim 10:** Yomamoto et al. discloses a recording medium of claim 1, wherein the navigation commands are divided into navigation command groups (**column 9-10, lines 63-21**).

**Regarding Claim 11:** Yomamoto et al. discloses a recording medium of claim 10, wherein at least one of the navigation command groups selectively branches reproduction to the side reproduction path (**column 9-10, lines 63-21**).

**Regarding Claim 12:** Yomamoto et al. discloses a recording medium of claim 11, wherein the at least one of the navigation command groups selectively branches

reproduction to a playlist representing at least a portion of the side reproduction path  
**(column 9-10, lines 63-21).**

**Regarding Claim 13:** Yomamoto et al. discloses a recording medium of claim 11,  
wherein the at least one of the navigation command groups selectively branches  
reproduction to another navigation command group, the another navigation command  
group commands reproduction of at least a portion of the side reproduction path  
**(column 9-10, lines 63-21).**

**Regarding Claim 14:** Yomamoto et al. discloses a recording medium of claim 13,  
wherein the another navigation command group commands playback of a playlist  
representing at least a portion of the side reproduction path **(column 9-10, lines 63-21).**

**Regarding Claim 15:** Yomamoto et al. discloses a recording medium of claim 14,  
wherein the another navigation command group branches reproduction back to the  
main reproduction path after reproduction of the side reproduction path **(column 9-10,  
lines 63-21).**

**Regarding Claim 16:** Yomamoto et al. discloses a recording medium of claim 13,  
wherein the another navigation command group branches reproduction back to the  
main reproduction path after reproduction of the side reproduction path **(column 9-  
10, lines 63-21).**

**Regarding Claim 17:** Yomamoto et al. discloses a recording medium of claim 11,  
wherein the at least one of the navigation command groups selectively branches  
reproduction to the side reproduction path during reproduction of the main reproduction  
path **(column 9-10, lines 63-21).**

**Regarding Claim 18:** Yomamoto et al. discloses a recording medium of claim 11, wherein the at least one of the navigation command groups selectively branches reproduction to the side reproduction path based on user input (**column 9-10, lines 63-21**).

**Regarding Claim 19:** Yomamoto et al. discloses a recording medium of claim 18, wherein the at least one of the navigation command groups selectively branches reproduction to the side reproduction path based on user input during reproduction of the main reproduction path (**column 9-10, lines 63-21**).

**Regarding Claim 20:** Yomamoto et al. discloses a recording medium of claim 10, wherein the navigation file further includes a length indicator indicating a length of the navigation file (**column 9-10, lines 63-21**).

**Regarding Claim 21:** Yomamoto et al. discloses a recording medium of claim 10, wherein the navigation file further includes an attribute indicator providing an indication of at least one attribute of the navigation file (**column 9-10, lines 63-21**).

**Regarding Claim 22:** Yomamoto et al. discloses a recording medium of claim 10, wherein the navigation file further includes a number of navigation command groups indicator indicating a number of the navigation command groups in the navigation file (**column 9-10, lines 63-21**).

**Regarding Claim 23:** Yomamoto et al. discloses a recording medium of claim 10, wherein the navigation file further includes a length indicator indicating a length of the navigation file, an attribute indicator providing an indication of at least one attribute of the navigation file, and a number of navigation command groups indicator indicating a

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number of the navigation command groups in the navigation file (**column 9-10, lines 63-21**).

**Regarding Claim 24:** Yomamoto et al. discloses a recording medium of claim 1, wherein a portion of the navigation commands command resuming reproduction of the main reproduction path after reproduction of the side reproduction path.

**Regarding Claim 25:** Yomamoto et al. discloses a recording medium having a data structure for managing reproduction of at least video data, comprising: a data area storing at least video data forming a main reproduction path and storing at least video data forming a side reproduction path, the side reproduction path being a side path to the main reproduction path (**column 9-10, lines 63-21**); and a navigation area storing at least one navigation file, the navigation file including navigation commands for managing reproduction of the main and side reproduction paths (**column 9-10, lines 63-21**).

**Regarding Claim 26:** Yomamoto et al. discloses a recording medium of claim 25, further comprising: a playlist area storing at least one playlist associated with the main reproduction path and at least one playlist associated with the side reproduction path (**column 9-10, lines 63-21**); and wherein the navigation commands selectively control playback of the at least on playlist associated with main reproduction path and the at least one playlist associated with the side reproduction path (**column 9-10, lines 63-21**).

**Regarding Claim 27:** Yomamoto et al. discloses a recording medium of claim 26, each playlist includes at least one playitem identifying at least a portion of a clip file of at least

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one of video and audio data recorded on the recording medium (**column 9-10, lines 63-21**).

**Regarding Claim 28:** Yomamoto et al. discloses a recording medium of claim 26, wherein the navigation commands are divided into navigation command groups (**column 9-10, lines 62-21**).

**Regarding Claim 29:** Yomamoto et al. discloses a recording medium of claim 28, wherein the navigation file further includes a length indicator indicating a length of the navigation file, an attribute indicator providing an indication of at least one attribute of the navigation file, and a number of navigation command groups indicator indicating a number of the navigation command groups in the navigation file (**column 9-10, lines 63-21**).

**Regarding Claim 30:** Claim 30 is rejected for the same subject matter as claim 1.

**Regarding Claim 31-33:** Claims 31-33 are rejected for the same subject matter as claim 25.

### ***Conclusion***

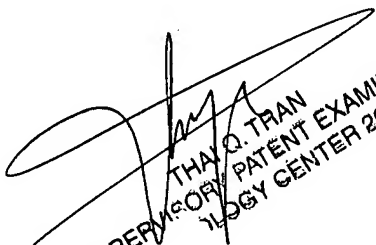
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Tekle whose telephone number is 571-270-1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other F..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel Tekle

  
THAI Q. TRAN  
SUPERVISOR, PATENT EXAMINER  
TECHNOLOGY CENTER 2600